

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: 20-cv-05640-YGR

Case Name: Epic Games, Inc.v. Apple Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
Yvonne Gonzalez Rogers	Katherine Forrest and Gary Bornstein	Richard Doren and Veronica Moye
BENCH TRIAL DATE: May 3, 2021	REPORTER(S): Diane Skillman and Pam Hebel and Raynee Mercado	CLERK: Frances Stone

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		5/3/2021			BENCH TRIAL: COURT REPORTER: DIANE SKILLMAN	
		8:45am			Case called. Discussion with counsel.	
					All documents listed in ECF dkt. 498 ADMITTED in evidence. Sealing at Dkt. 553 granted. Dkt. 538 granted.	
		9:00am			Plaintiff Epic Attorney Katherine Forrest Opening Statement	
		9:057am			Defendant Apple Attorney Karen Dunn Opening Statement.	
		10:39am			RECESS (20 min)	
		10:57am			Defendant Apple Attorney Dunn resumes Opening Statement	
		11:27am			Defendant Opening completed	
		11:29am			Plaintiff Epic Attorney Forrest calls witness Tim Sweeney for DIRECT	P
PX 2455			X	X	Email	
PX 2456			X	X	Email	
PX 2463			X	X	Email	
		12:32pm			RECESS (until 1:15pm)	
		1:14pm			Plaintiff Epic Attorney Forrest resumes Direct of witness Sweeney	
PX 2777			X	X	Exhibit: Device	
PX 2778			X	X	Device: X Box	
PX 2776			X	X	Device: Nintendo Switch	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		1:35pm			Court has questions for witness	
		1:36pm			Plaintiff Epic Attorney Forrest Direct of witness Sweeney	
PX 4477			X	X	Document	
		2:01pm			Defendant Apple Attorney Richard Doren Cross of Witness Sweeney	
					Slide: Sony/Microsoft/Nintendo Chart	
	DX 5535		X	X	Email	
		2:55pm			Discussion with counsel	
		2:59pm			SEALED PORTION OF TRIAL HELD	
		3:12pm			Sealed portion completed	
		3:12pm			Discussion with counsel	
	DX 4457		X	X	Email	
	DX 3620		X	X	Email	
		3:15pm			RECESS for the day. Further Bench Trial set Tuesday, 5/4/2021 at 8:00am.	
		5/4/2021			COURT REPORTER: DIANE SKILLMAN	
		8:04AM			Case called. Discussion with counsel. Counsel bring up that there is a typo. as to one admitted Exhibit in Minutes of 5/3/2021: correct Exhibit number is PX 4477	
		8:14am			Witness Tim Sweeney on the witness stand. Defendant Apple Attorney Doren resumes cross of witness Sweeney	
	DX 3125		X	X	Email 6/3/18	
	DX 3768		X	X	Document “ The Platform Wars” Video portion played in Courtroom re this document	
	DX 3098		X	X	Email	
	DX 4036		X	X	1/9/18 Email	
	DX 3199		X	X	3/21/19 Article	
		9:03am			Court question of the witness	
		9:04am			Defendant Apple Attorney Apple Cross of Witness Sweeney	
	DX 3818		X	X	Email	
	DX 4361		X	X	Document: Review of Performance	
	DX 4419		X	X	5/11/2020 Email	
	DX 4477		X	X	Document	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
	DX 3774		X	X	Project Liberty Presentation	
PX 2463			X	X	Document	
	DX 4579		X	X	8/5/2020 Email	
	DX 3478		X	X	Email 8/6/20 to 8/7/2020 re “Apple”	
PX 3724			X	X	Document	
		10:07am			Plaintiff Epic attorney Forrest Redirect of Witness Sweeney	
		10:17am			RECESS (20 minutes)	
		10:35am			On the record.	
		10:36am			Plaintiff Epic Attorney Forrest Resumes Redirect of Witness Sweeney	
					Device: iPhone	
PX 2776			X	X	Nintendo Switch	
PX			X	X	Device	
	DX 3818		X	X	Document	
	DX 3774		X	X	Document	
	DX 4477		X	X	Document	
	DX 4579		X	X	Document	
PX 2374			X	X	Email	
PX 2421			X	X	Email 1/5/18	
		11:18am			Defendant Apple Attorney Doren Re-cross of witness Sweeney	
PX 2374					Email	
		11:23am			No redirect.	
		11:23am			Court questions to witness Sweeney	
		11:27am			Plaintiff Epic Attorney J. Wesley Earnhardt calls witness Benjamin Simon for Direct	P
PX 2790			X	X	App Store Guidelines	
PX 2790			X	X	Page 2790.10	
		12:32pm			RECESS (40 minutes) until 1:15pm	
		1:16pm			On the record	
					DX 3774 DX 3818	
		1:18pm			Defendant Apple attorney Meredith Dearborn Cross of witness Benjamin Simon	
PX 2624			X	X	Down Dog FAQ page 2624.1	
	DX 5505		X	X	Document	
		1:34PM			Plaintiff Epic attorney Earnhardt Redirect of witness Simon	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		1:39PM			No cross	
		1:39pm			Court questions for witness Simon	
		1:44pm			No further questions	
		1:44pm			Plaintiff Epic attorney Earnhardt calls witness Aashish Patel for Direct	P
	PX 2790		X	X	Page 18 Section 4.9.2	
	PX 721		X	X	Document GeForce	
		2:29pm			Defendant Apple attorney Jay Srinivasan Cross of witness Aashish Patel	
	DX 3815		X		3/4/2020 email	
		3:05pm			Discussion with counsel. Oral hearing on Motions to Strike as to Experts set 5/5/21 at 8:00am	
		3:07pm			Under Seal Portion	
		3:20pm			RECESS for the day. Further Bench Trial on 5/5/2021 at 8:00AM	
		5/5/2021			COURT REPORTER: PAM HEBEL	
		8:00am			Case called. Discussion with counsel. The Court states on the record exhibits that have admitted in evidence. Motions to Strike – HELD.	
		8:48am			Defendant Apple attorney Srinivasan resumes Cross of witness Patel.	
	DX 3815				Document	
		8:54am			Plaintiff Epic attorney Earnhardt Redirect of witness Patel	
		9:00am			Defendant Apple attorney Sirinivasan Re-Cross of witness Patel	
		9:01am			Witness excused from stand	
		9:01am			Plaintiff Epic attorney Earnhardt calls witness Lori Wright for Direct	P
PX 2476			X	X	Page 2476.6	
	DX 5523		X	X	Slides 31, 17, 11 and 9	
PX 2311			X	X	4/3/2020 Email	
		10:10am			Defendant Apple attorney Srinivasan Cross of witness Wright	
		10:15am			RECESS (20 minutes)	
		10:30am			UNDER SEAL SESSION	
		10:42am			Back to public session: Plaintiff attorney Srinivasan Cross of witness Wright	
	DX 5518		X	X	Slide deck “Microsoft Provides” ; page 2; “10 Principles”	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
	DX 5523		X	X	Document "X-Box Live Marketplace; Future Strategy; slide 18 page 32; slide 37	
	DX 5532		X	X	Form 10-K Microsoft ; page 011	
		11:56am			Plaintiff Epic attorney Earnhardt Redirect of Witness Wright	
	DX 5523		X	X	Document; page 12	
		12:09pm			Defendant Apple attorney Sirinivasan Re-Cross of witness Wright	
		12:10pm			Witness excused from stand	
		12:11pm			Plaintiff Epic attorney Forrest calls witness Andrew Grant for DIRECT	P
		12:36PM			RECESS (until 1:15pm)	
		1:15pm			COURT REPORTER: DIANE SKILLMAN	
		1:15PM			Plaintiff Epic attorney Forrest resumes Direct of witness Andres Grant	
PX 2618			X	X	Apple Development Agreement	
PX 2619			X	X	License Agreement	
PX 2621			X	X	Schedule 2 Agreement	
PX 2622			X	X	Xcode and Apple SDKS	
		2:29pm			Defendant Apple Attorney Richard Doren Cross of witness Grant	
	DX 4119		X	X	6/3/19 Email	
	DX 4022		X	X	Unreal Engine License Agreement	
	DX 4561		X	X	Presentation Project Liberty	
		3:05pm			Plaintiff attorney Epic attorney Forrest Redirect of witness Grant.	
		3:07pm			Witness excused from stand	
		3:07pm			Discussion with counsel. Next witnesses: Ko, Fischer; Kosmynga, Allison Weissinger; then experts Evans, Athey, Schmalensee, Hitt; La Fontaine; Rubinfeld; Cragg; Barnes, Mickens then Defendant Apple's case. Exhibits PX 0067 and PX 0201- see order at docket 594.	
		3:18pm			RECESS FOR THE DAY. Further Bench Trial set for 5/6/2021 at 8:00am.	
		5/6/2021			COURT REPORTER: PAM HEBEL	
		8:00AM			Case called. Discussion with counsel.	
		8:19am			Plaintiff Epic attorney Brent Byars calls witness Thomas Ko for DIRECT	P

PX 2451			X	X	4/2/2020 Email- portions subject to sealing	
PX 2452			X	X	5/6/2020 Email	
		8:46am			Defendant Apple attorney Srinivasan Cross of witness Ko	
	DX 4496		X	X	12/25/19 Email	
		8:57am			No redirect	
		8:58am			UNDER SEAL PORTION	
		9:05am			Discussion with counsel	
	DX 3472		X	X	Document 8/9/18	
					Discussion with counsel re exhibits to be admitted; a binder of exhibits given to the Court: PX 006 PX 0052 PX 0060 PX 0061 PX 0072 PX 0112	
					Counsel are to WAIT as to PX 201 and 202 and these two exhibits are NOT to go into exhibit drop box yet. Court admitted: PX0827 and PX 0854	
PX 006			X	X	Document	
PX 0052			X	X	Document	
PX 0060			X	X	Document	
PX 0061			X	X	Document	
PX 0072			X	X	Document	
PX 0112			X	X	Document	
PX 0827			X	X	Document	
PX 854			X	X	Document	
		9:10AM			Plaintiff Epic attorney Forrest calls witness Matthew Fischer for DIRECT	P
PX 57			X	X	Email 4/11/2011	
PX 53			X		3/16/2011 Email	
PX 58			X	X	Email	
PX 65			X		7/27/18 Email	
PX 67			X		3/26/2019 (Court reserves ruling)	
PX 146			X	X	8/27/13 Email	
PX 197			X	X	4/18/2018 Email	
PX 198			X	X	5/1/18 Email	
PX 422			X	X	7/20/2018 email	
PX 744			X		1/4/2016 email (Court reserves ruling)	
PX 2060			X		7/27/2018 Email	
PX 2185			X	X	11/11/2010 Email	

PX 2281			X		Document	
	DX 4178		X	X	Presentation 5/2018; pages 983 and 984	
PX 59			X	X	10/6/19 (portion subject to sealing); pages 516-518	
PX 414			X	X	9/2/19 Email	
PX 413			X	X	11/14/20 Email	
	DX 4178		X	X	034 bates page number	
PX 2284			X	X	7/28/16 Email	
		10:13am			Witness steps off stand for the recess	
		10:13am			Discussion with counsel	
		10:15am			RECESS (until 10:35am)	
		10:39am			COURT REPORTER: DIANE SKILLMAN	
		10:39am			Plaintiff Epic attorney Katherine Forrest resumes Direct of witness Fischer	
PX 2062			X	X	9/6/18 email; pages 842-846	
PX 66			X	X	Document 10/26/18	
PX 63			X	X	2/10.12 Email	
PX 2197			X	X	9/21/15 Email	
PX 2190			X	X	7/22/2016	
PX 64			X	X	10/18/18 Email	
PX 174			X	X	3/27/15 Email	
PX 2017			X	X	6/5/2012	
PX 2076			X	X	1/9/16 Email	
PX 2173			X	X	9/29/15 Email	
		11:26am			Direct of witness Fischer completed. Discussion with counsel.	
		11:28am			Defendant Apple attorney Sirinivasan Cross of witness Fischer	
	DX 3422		X	X	6/10/14 Email	
	DX 3642		X	X	Press release 6/5/17	
	DX 3636		X	X	4/3/20 Email	
PX 2062			X	X	9/16/18 Email	
PX 58			X	X	Email	
PX 202			X		12/12/18 Email	
		12:32pm			Plaintiff Epic attorney Forrest Redirect of witness Fischer	
		12:36pm			RECESS(until 1:15pm)	
		1:15pm			Plaintiff Epic Attorney Forrest resumes Redirct of witness Fischer	
PX 64			X	X	10/18/18 Email	

PX 2951			X	X	HouseParty APP Screenshot	
PX 2952			X	X	Screenshot APP Store Unreal Engine	
PX 2953			X	X	Screenshot APP Store Unreal Engine 2	
	DX 3781		X		Developer Survey	
	DX 3800		X		Developer Survey	
	DX 3922		X		Developer Survey	
	DX 4044		X		Developer Survey	
		1:39pm			Witness excused from stand	
		1:39pm			Plaintiff Epic attorney Lauren Moskowitz calls witness Trystan Kosmynka for DIRECT	P
PX 56			X	X	APP STORE GUIDELINES	
PX 314			X	X	6/30/2020 Document page 314.5	
PX 2052			X	X	9/22/15 Email	
PX 006			X	X	6/21/19 Email	
PX 301			X	X	3/21/18	
PX 305			X	X	7/27/17 Email	
PX 257			X	X	12/14/17 Email	
PX 2114			X	X	12/19/17 Email	
PX 300			X	X	5/11/17 Email	
PX 2948			X	X	Document: Apple's interrogatory answers	
PX 858			X	X	5/1/19 Email	
		2:51pm			Defendant Apple attorney Veronica Moya Cross of witness Kosmynka	
PX 2948			X	X	Document	
	DX 4374		X	X	iOS Reviewed APPS Summary 11/20/2019	
	DX 5467		X	X	APP Review Metrics Demonstrative No. 1 (summary)	
		3:14pm			Witness excused for the day. Discussion with counsel. Court will go over the Exhibits first thing tomorrow morning on 5/7/2021. Discussion with counsel.	
		3:21pm			RECESS FOR THE DAY. Further Bench Trial on 5/7/2021 at 8:00AM.	
		5/7/2021			COURT REPORTER: PAM HEBEL	
		8:00AM			Case called. Discussion with Counsel.	
					The Court states on the record Exhibits admitted on 5/5/21 and 5/6/21.	
		8:21am			Defendant Apple attorney Moya resumes Cross of witness Kosmynka	

	DX 5467		X	X	Demonstrative number 1 “App submission/rejection rates 2017-2019	
PX 305			X	X	Admitted in evidence	
					Slide App Review Team Slide no. 2	
					Slide 3 App Review	
PX 2790			X	X	Document	
PX 300			X	X	IOS Apps Reviewed Summary	
					Demonstrative no. 5 App Review Process	
					Demonstrative no. 6	
					Demonstrative no. 8	
					Demonstrative no. 9	
					Demonstrative no. 11	
	DX 4374		X	X	Summary	
PX 335			X	X	Email 9/30/15	
					Demonstrative no. 13	
		9:47am			Plaintiff Epic attorney Moskowitz Redirect of witness Kosmyinka	
PX 300			X	X	PAGE 6	
PX 2235			X	X	10/31/18 Email	
PX 326			X	X	Email 11/21/19	
	DX 4399		X	X	Presentation “App Store”	
PX 56			X	X	App Store Review Guidelines	
					Demonstrative no. 13 2020 App Store	
PX 56			X	X	App Store Review Guidelines	
		10:15am			RECESS (20 minutes)	
		10:35am			COURT REPORTER: DIANE SKILLMAN	
		10:35am			On the record	
PX 442			X	X	Email 2/14/18	
PX 446			X	X	11/6/18 Email	
PX 335			X	X	Email	
PX 2084			X	X	10/24/19 Email	
PX 2029			X	X	1/18/18 Email	
PX 372			X	X	3/7/19	
PX 371			X	X	2/6/19	
PX 364			X	X	11/30/16 Email	
PX 365			X	X	3/6/18 Email	
PX 131			X	X	5/30/18 Email	
PX2371			X	X	6/9/2020 Email	

PX 315			X	X	Obj. Apps	
		11:25am			Defendant attorney Moye re-cross of witness Kosmynka	
PX131			X	X	Email	
		11:31am			Plaintiff attorney Epic Moskowitz Redirect of witness Kosmynka	
		11:34am			Court asks questions of witness Kosmynka	
		11:43am			Plaintiff attorney Moskowitz Redirect of witness Kosmynka	
		11:44am			Witness excused from stand	
		11:45am			Plaintiff Epic attorney Justin Clark calls witness Steve Allison for Direct.	P
PX 2469			X	X	10/18/20 EGS plan (Epic)	
		12:34pm			RECESS until 1:15pm	
		1:15pm			COURT REPORTER: PAM HEBEL	
		1:15pm			On the record. Plaintiff Epic attorney Clark resumes Direct of witness Steve Allison	
PX2469			X	X	P&L and cash view	
		1:20pm			Defendant Apple attorney Dunn Cross of witness Allison	
	DX 3399		X	X	Slide deck “Weekly Store Strategy”	
	DX 5536		X	X	9/2/2020 “What is Fortnite “ Beginner’s guide	
	DX 4638		X	X	8/3/19 Email	
	DX 3993		X	X	Presentation to Board of Directors 1/16/2020	
	DX 3795		X	X	Epic Leadership Finance Presentation February 2020	
					PX 2469(hold) DX 5526 and DX 3993-sealing issues	
PX 2469			X	X	Page 8	
	DX 3681		X	X	Document	
		2:08pm			Plaintiff Epic attorney Clark Redirect of witness Allison	
	DX 4638		X	X	Email	
	PX 2469		X	X	Document page 8	
	DX 5536		X	X	Document	
	DX 3681		X	X	Document	
		2:18pm			Defendant Dunn Re-Cross of witness Allison	
	DX 3955		X	X	Presentation 8/13/19 (subject to sealing)	

		2:22pm			Plaintiff Epic attorney Direct of witness Allison	
		2:23pm			Court asks questions to witness Allison	
		2:24pm			Witness excused from stand	
		2:25pm			Plaintiff Epic attorney Moskowitz calls witness Matthew Weissinger for Direct	P
PX 0067		2:28pm	X	X	Video /Demonstrative played in courtroom at 2:28pm	
PX 0065		2:40pm	X	X	Video/Demonstrative played in courtroom	
PX 2783		3:10pm	X	X	Video played in courtroom at 3:10pm	
		3:12pm			Court has questions for witness	
		3:13pm			Discussion with counsel	
		3:15pm			Witness excused for the day and to return Monday, 5/10/21 at 8:00am.	
					Attorneys conferred re all business records PP 879 and 880 except emails PX 052	
		3:17pm			RECESS FOR THE DAY.	
		5/10/21			COURT REPORTER: PAM HEBEL	
		8:00AM			Case called. Discussion with counsel. Exhibits for the "box" for public not to be put in at 5:00pm each trial day. Discussion with counsel as to expert reports.	
		8:09am			Plaintiff attorney Lauren Moskowitz resumes direct of witness Weissinger	
PX 2435			X	X	Document	
		8:42am			Defendant Apple attorney Doren Cross of witness Weissinger	
					Demonstratives 1, 2, 3, 4	
	DX 5541	8:54am	X	X	"Trailer" played in courtroom 8:54am-8:55am	
					Screenshot (creative mode)	
	DX 5539		X	X	Creative mode view	
	DX 5544		X	X	Video /trailer (creative item) played in courtroom 9:09am	
	DX 5540		X	X	"Tweets" on pages	
					V bucks demonstrative screen	
	DX 3233		X	X	7/20/20 email	
					007 page/slide 4/19. Influences survey	
	DX 3457		X	X	9/27/19 email	
	DX 3422				Exhibit (admitted on 5/6)	

	DX 3222		X	X	Declaration of Sweeney Exhibit B (86-2 ECF doc)	
	DX 5537				Document	
	DX 5542		X	X	Email 7/15/210 form Stolfus to Weissinger	
	DX3069		X	X	9/27/19 Email	
	DX 3933		X	X	Presentation “Communications Overview”	
	DX 4177		X	X	Email 5/15/20	
	DX 3641		X	X	5/22/20 Email	
	DX 4167		X	X	Document	
		10:15am			RECESS (20 minutes)	
		10:36am			Defendant attorney Doren resumes cross of witness Weissinger	
	DX 4138		X	X	8/4/2020 Email	
	DX 4072		X	X	8/13/20 Email	
	DX 4652		X	X	Liberty console partner	
		10:54am			Plaintiff attorney Moskowitz Redirect of witness Weissinger	
	DX 3457		X	X	9/27/19 Email	
	DX 2435		X		Document	
	DX 3069		X	X	Email 9/27/19	
PX2963			X	X	Picture of figure “Peel”	
		11:03am			Defendant Apple attorney Doren Re-cross of witness Weossomger	
		11:05am			Witness excused from the stand	
		11:06am			Plaintiff Epic attorney Gary Bornstein calls witness Dr. David S. Evans for Direct	P
		11:07am			Discussion re “housekeeping matters”	
		11:09am			Plaintiff Epic attorney Bornstein Direct of witness Evans	
		11:11am			Plaintiff attorney Bornstein offers witness Evans as Expert. Court accepts as Expert as stated on the record	
		11:12am			Plaintiff Epic attorney Bornstein resumes Direct of witness Evans	
PDX 41					On 4/28/21 written testimony of Dr.David S. Evans provisionally admitted by the Court	
					Slides from PDX 41: 41.4, 41.5, 41.8, 41.10, 41.9, 41.11	
	DX 4883				Document	

					PDX 41 Slides: 41.12, 41.13, 41.15, 41.16, 41.17, 41.18, 41.19, 41.21	
					Article by Evans- 42.30	
PX2489					Document	
		12:27pm			Court has questions for the witness.	
		12:32pm			RECESS until 1:15pm	
		1:10pm			Plaintiff Epic attorney Bornstein resumes Direct of witness Evans	
PX 2873					Slides 41.22 41.23 41.24 41.26 41.27	
PX880					Exhibit	
PDX41					Exhibit	
PX147					41.32 41.33	
					Slides 30 and 32	
					Slide DX3922 and PDX 41.35	
PX2451			X	X	Document – provisionally admitted	
					Slides 41.36 and 41.37	
		3:17pm			Witness excused- Recess for the day	
		3:30pm			RECESS FOR THE DAY. Further Bench Trial 5/11/21 at 8:00am	
		5/11/2021			COURT REPORTER: PAM HEBEL	
		8:00am			Case called. Discussion with counsel.	
		8:10am			Plaintiff Epic attorney Bornstein resumes Direct of witness Dr. David Evans	
PX2477			X	X	Document: the same as Document DX 5523	
					Slide 38: summary of opinions	
					41.38 41.39 41.40 41.42 41.43 Slides	
		8:34am			Defendant Apple attorney Dan Swanson Cross of witness Evans	
	DX5549		X	X	Document	
	DX5550		X	X	7/28/16 Slide deck slides 32-36	
		10:11am			RECESS (20 minutes)	
		10:36am			Defendant Apple attorney Swanson resumes Cross of witness Evans	
					Slide 41.18 Duopoly Market	
	DX5551		X		Amicus Brief (0410 case) pages 6-8	
					Page 28	
	DX5550		X	X	Slides 32 and 34	
		11:26am			Plaintiff Epic attorney Bornstein Redirect of Evans	

				41.7 slide	
				41.37 slide	
		12:00pm		Defendant Apple attorney Swanson Re-Cross of witness Evans	
				SEALED COURTROOM. SEALED TESTIMONY	
				Under Seal portion of exam of witness	
		12:17pm		Plaintiff Epic attorney Bornstein Redirect of witness Evans.	
		12:19pm		Defendant Apple attorney Swanson Re-Cross of witness Evans	
	DX5550			Slide 34	
		12:24pm		UNDER SEAL PORTION OF EXAM OF WITNESS	
		12:25pm		Court asks questions of witness Evans	
		12:28pm		Plaintiff Epic attorney Bornstein Redirect of witness Evans	
		12:29pm		Defendant Apple attorney Swanson Re-Cross of witness Evans	
		12:32pm		Discussion with counsel	
		12:34pm		RECESS (40 minutes)	
		1:15pm		Plaintiff Epic attorney Yonathan Even calls witness Dr. Susan Athey for Direct	P
				Plaintiff moved into evidence written testimony of Athey into evidence.	
				Slide 2: Qualification	
		1:22pm		Plaintiff attorney Even offers Dr. Athey as expert witness; Court accepts as expert as stated on the record	
		1:23pm		Plaintiff Epic attorney Even resumes direct of witness Dr. Athey	
				Slide 5 :User switching costs; Slide 9	
				Slide 6, 9, 10, 11 and 15	
PX405				405.1 and 405.2	
		2:28pm		Defendant Apple attorney Karen Dunn Cross of witness Dr. Athey	
	DX5603		X	.001 10/22/2020 Presentation	
	DX5612		X	Article: Switching Guide page 7	
	DX5605		X	Page 3	
		3:15pm		Witness excused for the day	
		3:15pm		RECESS FOR THE DAY. Further Bench Trial 5/12/21 at 8:00am	
		5/12/2021		COURT REPORTER: RAYNEE MERCADO	

		8:00am			Case Called. Discussion with counsel. By 6:00pm Friday submission to Court re exhibits requested to be sealed.	
		8:06am			Defendant Apple attorney Karen Dunn resumes Cross of witness Dr. Athey	
	DX5621		X		Document	
	DX5615		X		Exhibit	
	DX 5614		X		Exhibit	
	DX5613		X		Exhibit	
	DX5617		X		Screenshot	
	DX5622		X		Document	
	DX5623		X		Screenshot	
	DX5624		X		Screenshot	
	DX5620		X		Screenshot	
	DX5608		X		Page 2	
		8:45am			Plaintiff Epic attorney Yonathan Even Redirect of witness Dr.Athey	
	DX5613				Exhibit	
	DX5612				Document	
	DX5605				Document	
		9:02am			Defendant attorney Swanson calls witness Richard Schmalensee for Direct	D
	DX5548		X	X	Document	
		9:10am			Defendant Apple attorney Swanson offers Schmalensee as expert witness; Court accepts as Economist Expert as stated on the record	
		9:10am			Defendant Apple attorney Swanson resumes direct of witness Schmalensee	
		9:52am			Plaintiff Epic attorney Bornstein Cross of witness Schmalensee	
PX1997			X		Document	
		10:15am			RECESS (20 minutes)	
		10:35am			COURT REPORTER: PAM HEBEL	
		10:36am			Plaintiff attorney Bornstein resumes Cross of witness Schmalensee	
					Stipulation at dkt. 635, 640	
					Demonstrative: Slide 2 Chart	
	DX4861				.001 Slide Ex. 2 of Schmalensee Rebuttal report	
					Slide 13 Digital in-app purchases	
		12:04pm			Defendant Apple attorney Swanson Redirect of witness Schmalensee	

					Article	
		12:06pm			Plaintiff Epic attorney Bornstein Re-Cross of witness Schmalensee	
PX1997			X		Article: An Instant Classic	
		12:09pm			Court asks questions of witness Schmalensee	
		12:15pm			Witness excused from the stand	
		12:16pm			Defendant Apple attorney Karen Dunn calls witness Francine LaFontaine for Direct	D
	DX5546		X	X	CV of LaFontaine	
					Slide 3 of LaFontaine	
		12:22pm			Defendant attorney Dunn offers witness LaFontaine as expert; Court accepts as expert as stated on the record	
		12:23pm			Defendant attorney Dunn resumes Direct of witness LaFontaine	
					Slide 6	
		12:36pm			RECESS (40 minutes)	
		1:15pm			COURT REPORTER: DIANE SKILLMAN	
		1:15pm			Defendant attorney Dunn resumes Direct of witness LaFontaine	
					Slides 7 , 8 and 9	
		1:37pm			Plaintiff attorney Bornstein Cross of witness LaFontaine	
		2:35pm			No redirect	
		2:35pm			Discussion with counsel.	
		2:43pm			Defendant Apple Attorney Richman calls witness Lorin Hitt for Direct	D
		2:47pm			Defendant attorney Richman offers Hitt as expert; Court accepts witness Hitt as expert as stated on the record	
		2:48pm			Defendant Apple attorney Richman resumes Direct of witness Hitt	
					Slides 3,4,5,6,7,8,9,10,11,12,13,14,15	
		3:15pm			RECESS FOR THE DAY.	
		3:16pm			FURTHER BENCH TRIAL 5/13/21 AT 8:00AM	
		5/13/21			COURT REPORTER: PAM HEBEL	
		7:45AM			Sidebar with counsel off the record with lead counsel Forrest and Doren until 8:00am	
		8:05am			Case called. Discussion with counsel	

		8:07am			Discussion with counsel re 3 case cites submitted by plaintiff re attorney/witness contact.	
		8:16am			Defendant Apple attorney Cynthia Richman resumes Direct of witness Lorin Hitt	
	DX4806		X		Slides 4, 9, 53 16	
	DX4757		X		Summary document Slide 17	
	DX5469		X		Summary document Slide 18	
	DX4758		X		Slides 20-21	
	DX 4767		X		Slides 23 and 24	
	DX4763		X		Slides 25 and 26	
	DX4824		X		Slides 27 and 28	
	DX4823		X		Slide 29	
	DX4792		X		Slide 30	
	DX4777		X		Slide 31	
		9:31am			Court asks questions of witness Hitt	
		9:32am			Plaintiff Epic attorney Even Cross of witness Lorin Hitt	
					Slide 17, 28, 13-Demonstrative; slide 25	
					Exhibit 13 – one page shown on document camera	
		10:15am			RECESS(20 minutes)	
		10:35am			COURT REPORTER: DIANE SKILLMAN	
		10:35am			Plaintiff Epic attorney Even resumes Cross of witness Lorin Hitt	
					Slide 1: average commission rate analysis	
					Slide 1 page 2	
	DX4775		X		Figure 3 Slide: Device availability	
PDX143					Documents	
		11:41am			Defendant Apple attorney Richman Redirect of witness Hitt	
	DX4808		X		Slide 6	
		11:56am			Plaintiff Even Cross of witness Hitt	
	DX4808		X		Slide 6	
		12:05pm			Defendant attorney Richman Redirect of witness Hitt	
	DX4808		X		Slide 6	
		12:07pm			No recross	
		12:08pm			Witness excused. Discussion with counsel.	

		12:09pm		Plaintiff Epic attorney Even calls witness Michael I. Cragg for Direct	P
		12:09pm		Plaintiff attorney moves for written testimony of witness Cragg to be admitted; Court admits into evidence provisionally	
PDX111.2				CV Cragg Slide 1	
		12:14pm		Plaintiff offers witness Cragg as expert; Court admits as expert as stated on record	
		12:15pm		Plaintiff attorney Even resumes Direct of witness Michael Cragg	
PDX111.3			X	Slide 2, 3, 4, 5 and figure 1	
		12:35pm		RECESS (40 minutes)	
		1:15pm		COURT REPORTER: RAYNEE MERCADO	
		1:15PM		Discussion with counsel	
		1:17pm		Plaintiff Epic attorney Even resumes direct of witness Cragg	
				Slide 6, 111.7 PDX 111.7 , slide 7 ,8, 9,13, 12, Figures 2 and 18 and 5. Slide 14, figure 6, slide 15 PDX 111.6; 111.19	
				Court reserves ruling on 45	
		2:00pm		Defendant Apple attorney Swanson Cross of Cragg.	
		3:00pm		Plaintiff Epic attorney Even Redirect of witness Cragg.	
				No cross.	
		3:02pm		Discussion with counsel	
		3:06pm-3:22pm		UNDER SEAL PORTION	
		3:23PM		RECESS FOR THE DAY. FURTHER BENCH TRIAL SET 5/14/2021 AT 8:00AM	
		5/14/2021		COURT REPORTER: PAM HEBEL	
		8:00AM		Case called. Discussion with counsel re oral argument at conclusion of evidence.	
		8:17am		Plaintiff Epic attorney Bornstein Re-calls witness Dr. David Evans for Direct AS REBUTTAL WITNESS	P
	DX4767			Summary Slide 25	
				Slide 28 PDX .043; PDX .043.8	
		8:57am		Defendant Apple Attorney Swanson Cross of witness Evans.	
		10:08am		Plaintiff Epic attorney Bornstein Redirect of witness Evans.	

	PX56		X	Document	
		10:16am		RECESS (20 minutes)	
		10:35am		COURT REPORTER: DIANE SKILLMAN	
		10:35AM-10:55AM		SEALED PORTION OF BENCH TRIAL	
		10:58AM		Plaintiff attorney Bornstein Direct of witness Evans	
		10:59am		Defendant attorney Swanson cross of witness Evans	
		11:02am		Witness excused from stand	
		11:03am		Plaintiff Epic attorney Brent Byars calls witness Ned Barnes for Direct	P
		11:04pm		Plaintiff offers Barnes as expert ; Court accepts as expert as stated on the record	
		11:07am		Plaintiff Epic attorney Byars resumes Direct of witness Barnes	
		11:23am		Defendant Apple attorney Veronica Moya Cross of witness Barnes	
PX602				Exhibit	
PX608				Exhibit	
		12:03pm		Plaintiff Epic Attorney Bornstein Redirect of witness Barnes	
PX2391			X	12/18/19 document	
PX2385				2385.24 page	
		12:13pm		Court has questions for witness Barnes	
		12:14pm		Witness excused from stand	
		12:15pm		Plaintiff Epic attorney Moskowitz calls witness Peter Rossi for Direct	P
				Exhibits admitted in evidence; provisionally:	
PX2545			X		
PX2547			X		
PX1085			X	Partially sealed	
PX1086			X		
PX1087			X		
PX1088			X		
PX1089			X		
PX1090			X		
PX1091			X		
PX1092			X		
		12:19PM		Plaintiff attorney Moskowitz Direct of Rossi.	

					Plaintiff attorney offers Rossi as expert; court accepts as expert as stated on record. Direct of witness Rossi resumes	
PDX0091.1					Slides	
					00901.3, 0091.4, 0091.5 Slides	
		12:36pm			RECESS (40 minutes) resume at 1:15pm	
		1:15pm			On the record. Discussion with counsel	
					Slide 0091.10	
		1:22pm			Defendant Apple attorney Veronica Moya Cross of witness Rossi	
PX2885			X		Slide PX2885.32 Figure 9	
PX2457.35					Slide	
PX2457.36					Slide	
		1:50PM			Plaintiff attorney Moskowitz Redirect of witness Rossi	
		1:56pm			Defendant attorney Moya Re-cross of witness Rossi.	
		1:57pm			Court has questions for witness	
		1:58pm			No further examination for witness. Witness excused from the stand	
		1:59pm			Plaintiff Epic attorney Justin Clark calls witness Dr. James Mickens for Direct	P
PDX0081					Slide	
					Plaintiff Clark offers witness Mickens as expert ; court accepts as expert as stated on the record.	
					Written Testimony of Mickens is provisionally admitted	
PDX0081.2					Slide	
PDX0081.3					Slide	
PDX0081.4					Slide	
PDX0081.7					Slide	
PDX0081.10					Slide	
PDX0081.11					Slide	
PDX0081.18					Slide	
PDX0081.19					Slide	
		3:22PM			RECESS FOR THE DAY. FURTHER BENCH TRIAL MONDAY 5/17/21 AT 8:00AM	
		5/17/2021			COURT REPORTER: DIANE SKILLMAN	
		8:00AM			Case called. Discussion with counsel.	
		8:18am			Defendant Apple attorney Jason Lo Cross of witness Mickens	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
PDX81.2					Slide 10S App review	
	DX5562.001				Cover page of Book (2013 version) page 80	
					Payouts for Mobiles-Zero Day vulnerability	
	DX5562				Admitted for limited purpose	
	DX5561				Exhibit (10)	
PDX0081.9					Slide	
PDX81.3					Slide	
		9:40am			Plaintiff Epic attorney Justin Clarke Redirect of witness Mickens	
PDX81.02					Slide	
PDX81.1					Summary of conclusions Slide	
PDX81.5					Slide	
		10:03am			Defendant Apple attorney Lo re-cross of witness Mickens	
		10:07am			Court excuses witness. No further witnesses for Plaintiff	
		10:09am			Defendant Apple attorney Doren calls witness Phillip Schiller for Direct	D
		10:15am			RECESS (20 minutes)	
		10:35am			COURT REPORTER: DIANE SKILLMAN	
		10:35AM			Defendant Apple attorney Doren resumes Direct of witness Schiller	
	DX3426		X	X	Press announcement 1/9/07	
	DX4566		X	X	Letter from Steve Jobs re SDK 10/17/07	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
PX0880			X	X	Page	
	DX4287		X	X	Screenshot of exhibit- one page SDK 2008	
PX0882			X	X	Slide-Apple Development Plant 1/2/08 email	
PX2618			X	X	Apple Development agreement	
PX2622			X	X	Document	
PX2619			X	X	Document	
PX0888			X	X	12/11/08 email (admitted 5/3/21)	
					88.3, 888.4, 888.5, 888.25, 888.17, 888.27, 888.29, 888.30	
	DX4192		X	X	Admitted per ECF 685: page 02, 4192.003, 4192.004	
		12:34pm			RECESS(until 1:15pm)	
		1:15pm			COURT REPORTER: RAYNEE MERCADO	
		1:15PM			Defendant Apple attorney Doren resumes Direct of witness Schiller	
	DX5627		X	X	Email 6/21/18 by Schiller	
PX2790			X	X	Document	
	DX5567		X	X	Email of Fortnite signup	
	DX5555		X	X	Email re Fortnite 5555.02	
PX0250			X	X	Email 10/16/2013	
	DX4608		X	X	Transcript "Keynote 9/9/2009" 4608.001	
PX79			X	X	6/9/13 Report Switching 0079.03	
PX0080			X	X	6/20/13 Email	
PX892			X	X	892.1 892.2	
					Slide: Innovations and Investments Demonstratives	
	DX3462		X		Video	
		3:10pm			Portion of video played in courtroom	
		3:11pm			Defendant Apple attorney Doren resumes Direct of witness Phil Schiller	
		3:16pm			Discussion with counsel	
		3:20pm			RECESS FOR DAY. FURTHER BENCH TRIAL 5/18/21 AT 8:00AM	
		5/18/21			COURT REPORTER: PAM HEBEL	
		8:00AM			Case called. Discussion with counsel.	

EXHIBIT and WITNESS LIST CONTINUED

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
					Discussion re PX1902 document	
		8:17am			Break in proceedings; Line 2 listen in line not working.	
		8:21am			Defendant Apple attorney Doren resumes Direct of witness Schiller	
	DX5567		X	X	Admitted 5/17/21	
	DX3462		X	X	Video admitted	
					Arkit 2017 slide Animal Safari AR	
					Slide: Innovations and Investments	
					Demonstrative slide Core ML 2017	
		8:36am			Plaintiff Epic attorney Katherine Forrest Cross of witness Schiller	
					Demonstrative slide Innovations and Investments	
PX2618			X	X	Document: Apple Development Agreement	
PX2619			X	X	Document section 9.2	
PX2619			X	X	.05 page	
PX1893			X	X	Apple Open Source 1893.1	
PX1891			X	X	Legal notices	
					PX1891.9 page “attractive chaos”	
					PX1891.10, 1891.14, 1891.23, 1891.28, 1891.30, 1891.40, 1891.41	
PX79			X	X	Document-Goldman Sachs (switching report)	
PX80			X	X	6/20/13 email Goldman Sachs Switching report	
		9:07am			Video of witness played in Courtroom (Eddie Cue)	
PX1817			X	X	Document – Movies to Buy in iTunes	
PX80			X	X	Document	
PX417			X	X	7/28/11	
PX882			X	X	1/21/08	
PX890			X	X	Email/document	
PX879			X	X	Email 8/5/2008	
PX505			X	X	10/10/08 Email re Google	
PX2316			X	X	11/20/09 Document	
PX56A			X	X	2/11/11 APP Store Review Guidelines (2010 Last page)	
PX2356			X	X	Email 10/10/16	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
PX402			X	X	Document re Eddie Cue 12/3/14	
PX 842			X	X	12/1/19 Email	
					Demonstrative Page 2 "Remedy"	
					InApp Purchasing Opportunities	
					Demonstrative IAP	
PX101			X	X	4/21/2010 Email -cover re A.R. Guidelines	
					Bates #650	
PX101			X	X	Bates 673 page	
PX1937			X	X	Document	
PX1938			X	X	Document	
PX1939			X	X	Document	
PX1940			X	X	Document	
PX1941			X	X	Document	
PX1949			X	X	Document	
PX1947			X	X	Document	
PX1950			X	X	Document	
PX1895			X	X	Document	
PX1894			X	X	Document	
PX1890			X	X	Document	
		10:14am			RECESS (20 minutes)	
		10:35am			COURT REPORTER: RAYNEE MERCADO	
		10:35am			Plaintiff attorney Epic Katherine Forrest resumes cross of witness Schiller	
PX417			X	X	Document email	
PX406			X	X	7/15/09	
PX1932			X	X	Document : Apple Unveils all new App Store 6/15/17 Article	
PX1917			X	X	Article	
PX1908			X	X	Document	
PX1907			X	X	Document FAS Investigation	
PX1916			X	X	Press release 6/16/20	
PX2338			X	X	6/17/20 Email bates 941	
PX1906			X	X	6/16 Article	
PX1922			X	X	6/21/2020	
PX1898			X	X	Article 6/26/2020	
	DX4477		X	X	Admitted	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
PX1896			X	X	Exhibit	
PX2019			X	X	Exhibit	
PX1897			X	X	Document 7/29/20	
PX1915			X	X	Article 7/29/20	
PX1914			X	X	8/26/20 Article	
PX1903			X	X	9/3/2020 Article	
PX1913			X	X	9/8/2020 Article	
PX2339			X	X	9/9/2020 Document	
PX1901			X	X	9/13/2020 Document	
PX1912			X	X	10/6/2020	
PX2752			X	X	Article	
PX1904			X	X	App Store document	
PX2303			X	X	Document bates 222	
PX1911			X	X	3/4/21 Article UK "CMA"	
PX1930			X		4/1/2021 article from the Verge	
PX1910			X	X	Article 4/21/2021	
PX1899			X	X	4/27/21 article	
PX1909			X	X	4/28/21 Article	
	DX4400		X	X	App Store and Privacy pages 4400.001, .003	
PX1978			X	X	Document	
PX2366			X	X	9/18/20 Email search ADS	
PX2202			X	X	Document 6/6/08	
		12:05pm			Portion deposition of Forestal played in courtroom	
	DX3060		X	X	Press release	
PX108			X	X	12/22/10 email review IAP from Schiller	
PX1849			X	X	2/10/11 document to Cue	
PX2194			X	X	9/5/13 Email	
PX1883			X	X	Pages	
		12:35pm			RECESS (until 1:15pm)	
		1:15pm			COURT REPORTER: DIANE SKILLMAN	
		1:15pm			Plaintiff Epic attorney Forrest resumes Cross of Schiller	
PX1883			X	X	Document	
PX2273			X	X	10/11/19 Email	
PX897			X	X	1/30/08 Email	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
PX2274			X	X	11/26/17 Email	
PX2057			X	X	12/6/14 Email	
PX1854			X	X	Printouts from App store	
PX1855			X	X	Document	
PX1856			X	X	Document	
		1:43pm			Defendant Apple attorney Doren Redirect of witness Schiller	
PX897			X	X	Document	
PX888			X	X	Document	
PX2057			X	X	Document	
PX5568			X	X	Tik Tok Guidelines document	
PX2790			X	X	Document	
PX 101			X	X	Document	
PX842			X	X	Document	
PX2316			X	X	Email	
PX56A			X	X	Document	
PX0879			X	X	8/5/08 Email	
PX890			X	X	Document	
PX505			X	X	10/10/08 email	
		2:50pm			Plaintiff attorney Epic Forrest re-cross of witness Schiller	
PX1818			X	X	2/23/09 document	
PX1813			X	X	Email	
PX1815			X	X	Document	
		2:56pm			Defendant Apple attorney Doren Redirect of witness Schiller	
PX1818			X	X	Document	
		3:01pm			Court has questions for witness Schiller	
		3:03pm			No further examination by attorneys	
		3:03pm			Defendant Apple attorney Srinivasan calls witness Michael Schmid for Direct	D
	DX5552		X	X	Document -Categories of Apps	
		3:16pm			RECESS FOR DAY. FURTHER BENCH TRIAL SET 5/19/21 AT 8:00AM	
		5/19/21			COURT REPORTER: RAYNEE MERCADO	
		8:00AM			Case called. Discussion with counsel. Discussion with counsel PX1904	

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION	BY
		8:08AM			Defendant Apple attorney Sirinivasan resumes Direct of witness Michael Schmid	
	DX5552		X		Document	
		8:22am			Resume Direct of witness Schmid	
					Slide Demonstrative Hearthstone	
					Slide demonstrative Candy Crush	
	DX3427		X		3/27/19 Email	
	DX3758		X	X	10/31/19 Email	
	DX4239		X	X	8/1/19 Email	
	DX3661		X	X	5/16/20 Email	
	DX3958		X	X	iMessage	
		9:06am			Plaintiff Epic attorney Moskowitz Cross of witness Schmid	
					Video screen demonstrative	
	DX5552		X	X	Document	
PX1846			X	X	Article	
PX2943			X	X	3/31/21 Schedule 2 2943.9	
PX2621			X	X	Agreement	
PX2125			X	X	4/11/18 email	
	DX4243		X	X	12/20/18 email	
PX2362			X	X	11/14/19 email	
PX634			X	X	3/12/20 email	
		10:17am			RECESS (20 minutes)	
		10:37am			COURT REPORTER: DIANE SKILLMAN	
		10:37am			Plaintiff Epic attorney Moskowitz resumes Cross of witness Schmid	
PX856			X	X	2/20/19 Document	
PX452			X	X	3/3/20 Email	
PX65			X	X	Email 7/27/18	
		10:49am			Defendant Apple attorney Srinivasan Redirect of Witness Schmid	
					Videos- demonstrative Candy Crush	
PX625			X		4/25/19 email	
		10:56am			Court has questions for witness Schmid	
					No redirect	
		11:01am			Plaintiff Epic attorney Moskowitz re-cross of witness Schmid	

PLF NO	DEF NO	DATE/TIME OFFERED	ID	REC	DESCRIPTION	
					No further examination of witness Schmid	
		11:03am			Witness excused from stand	
		11:03am			Defendant Apple attorney Jason Lo calls witness Craig Federighi for Direct	D
					Slide 2 Threat Model Considerations	
					Slide 3	
					Slide 4 How attack works	
					Slide 5, slide 7, slide 8, slide 9, slide 10	
PX741			X		Mac OS Security Document 741.5 page	
					Slide 11	
					Slide 12 Privacy	
					Slide 13 , Slide 19	
PX2519			X	X	Enterprise Program/Apple eligibility	
		12:36pm			RECESS (until 1:15pm)	
		1:15pm			COURT REPORTER: PAM HEBEL	
		1:15pm			Defendant Apple attorney Jason Lo resumes direct of witness Federighi	
PX2519			X	X	Admitted in evidence	
		1:31pm			Plaintiff Epic attorney Yonathan Even Cross of witness Federighi	
PX877			X	X	3 RD Party application 11/2/20	
					877.2. 877.6. 877.3	
	DX5492		X	X	Document	
PX2882			X	X	Education (K-12) Apple	
PX741			X	X	Exhibit	
PDX005			X		Slide "Steps" Demonstrative	
PX465			X	X	8/28/13 Email	
PX2386			X	X	12/24/15 Email	
PX464			X	X	8/22/17 Email	
PX1220			X	X	Document	
		3:01pm			Defendant Apple Attorney Lo Redirect of witness Federighi	
PX877			X	X	Document	
PX2882			X	X	Document	
PX465			X	X	Document	
		3:24pm			Plaintiff Epic attorney Even re-cross of witness Federighi	
		3:25pm			Witness excused from stand	

PLF NO	DEF NO	DATE/TIME OFFERED	ID	REC	DESCRIPTION	
		3:25pm			Discussion with counsel regarding two experts Rubin and Lee	
		3:27pm			RECESS FOR THE DAY. FURTHER BENCH TRIAL 5/20/21 at 8:00AM	
		5/20/21			COURT REPORTER: DIANE SKILLMAN	
		8:00AM			Case called. Discussion with counsel	
		8:09am			Defendant Apple attorney Veronica Moyer calls witness Dominique Hanssens for Direct	D
		8:13am			Counsel offers Hanssens as expert witness. Court accepts as expert as stated on the record	
		8:13am			Defendant Apple attorney Moyer resumes direct of witness Hanssens.	
					Slide	
					Demonstrative assignment (Surveys)	
					Slides : 2, 3,4,6,7,8, 9. 10, 11, 12	
					PX 2547.35	
					ECF documents 641 and 682	
					Slide 13	
		8:43am			Plaintiff Epic attorney Moskowitz Cross of witness Hanssens	
					Stipulations at dkt., 641 and 682 granted; as to exhibits	
					Demonstratives: PDX 0003.2; 0003.3; 0003.4 0003.5; 0003.7 Slides; slide 6. DX4754	
		9:27am			Defendant Apple attorney Moskowitz re-cross of witness Dominique Hanssens	
					No redirect	
		9:43am			Defendant Apple attorney Doren calls witness James Malackowski for Direct	
					Written Direct of Malackowski ADMITTED in evidence	
					Slide 2	
	DX4876		X	X	CV of Malackowski	
					Defense offers as expert; Court accepts as expert as stated on the record.	
		9:51am			Defendant Apple attorney Richard Doren resumes Direct of witness Malackowski	
	DX3305		X	X	Antitrust Guidelines	
					Slide 3, overview of opinion; Slides 4-7	
	DX4080		X	X	Document	
		10:17am			RECESS (20 minutes)	

PLF NO	DEF NO	DATE/TIME OFFERED	ID	REC	DESCRIPTION	
		10:35am			COURT REPORTER: PAM HEBEL	
	DX3134		X	X	Patent 10,726,604 Spence, et al.	
	DX3052		X	X	US Patent 8,620.272 Gamatra et al.	
					Slides 8, 10, 11, 12, 15	
	DX3691		X	X	Document	
PX2618			X	X	Development Agreement	
	DX3900		X	X	Apple Development Program	
		11:06am			Plaintiff Epic attorney Moskowitz Cross of witness James Malackowski	
PX1173			X	X	Document	
PX1176			X	X	Document	
	DX3370		X	X	Document	
PX1182			X	X	Document	
	DX5447		X	X	Document	
PX1183			X	X	Document -Patent	
	DX3370		X	X	Document	
		12:08pm			Defendant Apple attorney Doren Cross of witness Malackowski	
	DX3900		X	X	Document	
PX1182			X	X	Document	
PX1183			X	X	Document	
		12:24pm			Plaintiff Epic attorney Moskowitz Cross of witness Malackowski	
		12:25pm			Defendant Apple attorney Doren Redirect of witness Malackowski	
		12:26pm			Witness excused from stand	
		12:27pm			Defendant Apple attorney Jason Lo calls witness Aviel Rubin for Direct	D
					Slide 2, 3, 4, 5	
	DX4884		X	X	CV of Rubin	
					Written Direct and exhibits of Rubin admitted into evidence	
		12:36pm			RECESS (until 1:15pm)	
		1:15pm			COURT REPORTER: RAYNEE MERCADO	
		1:16pm			Discussion with counsel	
		1:27pm			Defendant Apple attorney Jason Lo resumes direct of witness Aviel Rubin	
					Slides: 5,6,7,9,10.13,14, 15, 16, 24	

PLF NO	DEF NO	DATE/TIME OFFERED	ID	REC	DESCRIPTION	
	DX4975		X		Report	
	DX4934		X		First page Risk IQ report, pages 1 and 6	
	DX4956		X		Purple Sec Statistics ; slide 4 and slide 3	
		2:18PM			Plaintiff Epic attorney Brent Byars Cross of witness Rubin	
	DX4975		X		Report	
PX1239			X		Document	
		3:15PM			Witness excused from stand for the day and to return tomorrow	
		3:16pm			Discussion with counsel	
		3:23pm			RECESS	
		5/21/2021			COURT REPORTER: PAM HEBEL	
		8:00AM			Case called. Discussion with counsel. All written expert direct admitted into evidence. Dkt. 725 re exhibits is ADMITTED. Final findings of fact submitted by Noon on 5/21/21. On Monday 5/24/21 Oral argument set.	
		8:16am			Defendant Apple attorney Moyer calls witness Tim Cook for Direct	D
PX0089			X	X	6/9/15 email	
PX4581			X	X	Document	
	DX3084A		X	X	Document	
PX0892			X	X	Email page 0892.2 page	
PX0416			X	X	3/4/16 email	
	DX4581		X	X	Document page .022	
PX2385			X	X	10/1/19 Email;pages 2385.08; 2385.14,2385.13	
PX2392			X	X	2392.93 Profitability	
	DX5573		X	X	Document	
		9:26am			Plaintiff Epic attorney Bornstein Cross of witness Cook	
PX0089			X	X	Email	
PX1721			X	X	Video portion played in court	
PX1677			X	X	Video clip played in courtroom	
PX2385			X	X	Email 2385.12, 2385.13, 2385.18, 2385.24	
PX2392			X	X	Document	
PX2391			X	X	12/18/19 email	
PX1725			X	X	Videoclip played in courtroom	

PLF NO	DEF NO	DATE/TIME OFFERED	ID	REC	DESCRIPTION	
PX2943			X	X	3/31/21 Schedule 2, 7.1 paragraph ,page .09	
		10:16am			RECESS (20 minutes)	
		10:35am			COURT REPORTER: RAYNEE MERCADO	
		10:35am			Plaintiff Epic attorney Bornstein resumes Cross of witness Cook	
	DX4400		X	X	Document	
PX1678			X	X	iCloud Agreement with GCBD (Chinese government)	
PX1659			X	X	Document	
PX1667			X	X	Email	
PX1725			X	X	Video clip played	
PX1701			X	X	Document	
PX1709			X	X	Document	
		11:16am			Defendant Apple attorney Moye Redirect of witness Cook	
PX2392			X	X	Document	
PX2391			X	X	Document	
PX2385			X	X	Document	
PX2392			X	X	Document	
PX2943			X	X	Document	
PX1709			X	X	Document	
PX1701			X	X	Document	
PX1813			X	X	2/9/2001 Document 1813.03 page; 1813.02 page	
	DX5577		X	X	Publication 5/24/21	
		11:35am			Plaintiff Epic attorney Bornstein re-cross of witness Cook	
PX1667			X	X	Document	
PX2391			X	X	Document page 2391.86	
PX1813			X	X	Document page 1813.2	
PX1703			X	X	Document	
PX1714			X	X	Document 11/2010	
		11:46am			Defendant Apple attorney Moye redirect of witness Cook	
PX2391			X	X	Page .104, 2391.104, 2391.105	
		11:47am			Court has questions for witness Cook	
		12:02pm			Defendant Apple attorney Moye Redirect of witness cook	

PLF NO	DEF NO	DATE/TIME OFFERED	ID	REC	DESCRIPTION	
		12:03pm			UNDER SEAL SESSION	
		12:26pm			Session completed	
		12:27pm			RECESS (until 1:15pm)	
		1:15pm			COURT REPORTER: DIANE SKILLMAN	
		1:16pm			Plaintiff Epic attorney Byars resumes Cross witness Aviel Rubin	
	DX4235		X	X	1/30/19 email	
		1:27pm			Defendant Apple attorney Lo Redirect of witness Rubin	
	DX4066		X	X	Document	
		1:29pm			Plaintiff Epic attorney Byars re-cross of witness Rubin	
		1:30pm			Witness excused.	
		1:30pm			PLAINTIFF RESTS	
		1:31pm			DEFENSE RESTS	
		1:33PM			Discussion with counsel. List of exhibits admitted in evidence stated by the Court. See Minutes of 5/21/21 for list.	
		2:25pm			RECESS FOR DAY. Oral argument set for Monday, 5/24/2021 at 8:00am	
		5/24/21			COURT REPORTER: DIANE SKILLMAN	
		8:00AM			Case called. Discussion with counsel.	
		8:08am			Plaintiff oral argument/closings	
		10:30am			RECESS (15 minutes)	
		10:47am			COURT REPORTER: PAM HEBEL	
		10:47am			Defense oral argument/closings	
					DX5447 Correct case number For exhibit (not 5547) DX5441 corrected to DX5447	
	DX3734		X	X	Admitted	
	DX5447		X	X	Admitted	
		11:50am			RECESS. Bench Trial completed.	